IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5536 of 2005

Between:

T. Jani Basha, s/o. dHasan Ahmed,
Julakallu Gram Panchayat, Piduguralla Mandal,

Guntur District.

..... PETITIONER

AND

1 Govt of A.P., rep. by its Secretary,

Panchayat Raj Department, Secretariat, Hyderabad.
2 The Commissioner, Panchayat Raj, Govt of A.P.,

Panchayat Raj Chamber Bldgs.,
Himayathnagar, Hyderabad.
3 District Collector, Panchayat Wing, Guntur.
4 District Panchayat Officer, Guntur.
5 Sarpanch Julakallu Gram Panchayat,

Piduguralla Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue any appropriate Writ, Order or direction preferably a writ in the nature of Writ of Mandamus, directing the District Panchayat Officer, Guntur to consider the case of the petitioner under GO.Rt.No.134 dt. 2.2.2005 of Panchayat Raj and Rural Development
(E IV) Department and pass such other order or orders.

Counsel for the Petitioner: MR.O.KAILASHNATH REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent Nos.4 and 5: MR D.SRINIVAS

The Court at the admission stage made the following:

ORDER:

This writ petition is filed, seeking a direction to the respondents to consider the case of the petitioner in terms of GO.Rt.No.134, dated 02.02.2005 of Panchayat Raj and Rural Development (E-IV) Department.

Heard the learned Counsel for the petitioner and the learned Government Pleader for Panchayat Raj and Rural Development.

The learned Government pleader for Panchayat Raj and Rural Development, appearing for respondents 1 to 3, contended that the issue relates to service matter, and hence, the petitioner has to approach before the State Administrative Tribunal.

The petitioner is not asking for positive directions from this Court. He asked innocuous relief. There is no impediment to grant an innocuous relief to the writ petitioner.

Therefore, without entering into the merits of the case, the respondents are directed to consider the case of the petitioner, in terms of GO.Rt.No.134, dated 02.02.2005 of Panchayat Raj and Rural Development (E-IV) Department, within a period of 6 (six) weeks from the date of receipt of a copy of this order.

The Writ Petition is, accordingly, disposed of. No order as to costs.

Dated: 18.03.2005

Dsr

Note:

Issue CC in two days

B/o

Dsr

ASSISTANT REGISTRAR

To:

1. The Secretary,

Panchayat Raj Department,

Government of Andhra Pradesh,

Secretariat, Hyderabad

2. The Commissioner, Panchayat Raj,

Government of A.P. Panchayat Raj Chamber

Buildings, Himayatnagar, Hyderabad

3. The District Collector (Panchayat Wing)

Guntur

4. The District Panchayat Officer,

Guntur

5. The Sarpanch,

Julakallu Gram Panchayat,

Piduguralla Mandal,

Guntur District

6. Two CCs to the Government Pleader for

Panchayat Raj and Rural Development,

High Court Buildings, Hyderabad (OUT)

7. Two CD copies

8. 1 CC to MR.KAILASHNATH REDDY

*Form-NIC-OGS/WP{**JGK**}*